

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE: § CHAPTER 11
§
FOREST PARK MEDICAL CENTER AT FRISCO, LLC §
Debtor. § CASE NO. 15-41684-BTR
§

**AGREED ORDER AND STIPULATION MODIFYING STAY TO ALLOW
TEXAS CAPITAL BANK, N.A. TO SWEEP AND APPLY COLLECTIONS
FROM PREPETITION ACCOUNTS**

Upon the Motion to Approve Agreed Order and Stipulation Modifying Stay Regarding Prepetition Accounts Receivable Pursuant to 11 U.S.C. §362 (the "Motion")¹ filed by the Debtor; and the Court having jurisdiction over the Motion pursuant to 28 U.S.C. §1334 and 157, and the Motion being a core proceeding under 28 U.S.C. §157(b)(2)(A), (G) and (O); and venue being proper pursuant to 28 U.S.C. §§1408 and 1409; and upon all the proceedings heretofore had herein; and upon the agreement of Texas Capital Bank, N.A., ("TCB"), Forest Park Medical Center at Frisco, LLC (the "Debtor") and Sabra Texas Holdings, L.P. ("Sabra"); and good cause appearing therefor, it is hereby

ORDERED that the automatic stay provisions of 11 U.S.C. §362(a) are hereby MODIFIED as to TCB as follows:

1. TCB shall continue to receive collections from Debtor's accounts in accordance with the Final Agreed Order Granting Debtor's Emergency Motion Pursuant to Sections 105(a), 345(b), 363(c) and 364(a) of the Bankruptcy Code for Authorization to (a) Continue to Limited Use of Existing Cash Management System, and (b) Maintain Existing Bank Accounts, and (c) Waiving Certain Deposit Guidelines [Doc. No. 198] (the "Final Cash Management Order");

¹ Except as otherwise set forth herein, capitalized terms used but not defined herein have the meanings ascribed to such terms in the Motion.

2. TCB, the Debtor and Sabra shall cooperate in good faith and identify the origin of and basis for deposits made into TCB Account Nos. xxxxxx4028, xxxxxx3152 and xxxxxx6097 (collectively, the "TCB Accounts").

3. TCB shall promptly and periodically, as agreed to with Sabra and the Debtor, remit to the Debtor funds which are identified as payments on accounts arising from services provided by the Debtor on or after September 22, 2015 (the "Petition Date").

4. Funds deposited in the TCB Accounts which TCB, the Debtor and Sabra identify as payments on accounts arising from services provided by the Debtor prior to the Petition Date shall be swept from the TCB Accounts and applied against the debt evidenced by the Promissory Note, Loan and Security Agreement with TCB dated October 10, 2012, as such may have been amended and/or supplemented (the "TCB Revolving Loan"), with such amounts to be applied in the order provided in the loan documents for the TCB Revolving Loan.

5. Except as otherwise provided herein, this Agreed Order is without prejudice to the right of any party to object to TCB's claims or the validity or priority of TCB's liens.

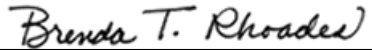
6. This Agreed Order does not impair or limit in any way TCB's rights to seek such further relief in this proceeding as it deems appropriate; it is further

ORDERED that no further notice of this Agreed Order is required in accordance with the provisions of Bankruptcy Rule 4001(d)(4); and it is further

ORDERED that this Court shall retain jurisdiction over all matters arising from or related to the interpretation and implementation of this Agreed Order; and it is further

ORDERED that, since the Motion was unopposed by any party, the fourteen (14)-day stay period otherwise imposed by Fed.R.Bankr.P. 4001(a)(3) shall not be applicable to this Agreed Order.

Signed on 11/30/2015

 SR
HONORABLE BRENDA T. RHOADES,
UNITED STATES BANKRUPTCY JUDGE

AGREED TO IN FORM AND SUBSTANCE BY:

/s/ Vickie L. Driver [11/04/15]

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